

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the U.S. Patent Application of:)
Inventor(s) : **Jeffrey A. Hubbell, et al.**)
Serial No. : **Not yet assigned**)
Filing Date : **Herewith**)
For : **GELS FOR**)
ENCAPSULATION OF)
BIOLOGICAL MATERIALS)
Examiner : **Szekely, Peter**)
Art Unit : **1714**)

CERTIFICATE OF MAILING

Date of Deposit: **December 19, 2003**

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as 'Express Mail Post Office To Addressee' in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Signature of Person Mailing Paper or Fee

INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR 1.97(b)(3)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 CFR §§ 1.97 and 1.98, this Information Disclosure Statement is submitted for the purpose of bringing to the attention of the Office the items listed in the accompanying Form PTO-1449. Copies of the listed items are not enclosed, as each of the items was cited by or submitted to the Patent Office in the prior application (Application Serial No. 09/910,663), from which the present application relies upon for priority under §120. See 37 C.F.R. 1.98(d). However, copies of any or all of the other listed items will gladly be furnished upon request. The Examiner is requested to consider and make these items of information of official record in the Application.

The items identified in this Information Disclosure Statement (IDS) may or may not be "material" pursuant to 37 CFR §1.56 and the submission thereof by Applicants shall not be


construed as an admission that any such patent, publication or other information referred to therein, or any combination thereof, is material or considered to be material (37 CFR §1.97(h)) or even qualifies as "prior art" under 35 USC §102 or §103 with respect to this invention unless specifically designated by Applicant as such.

Furthermore, the submission of the above listed items is not to be construed as a representation that an exhaustive search, or any search, has been made, or that additional information material to the examination of this Application does not exist.

This IDS is believed to be timely in that it is being submitted under 37 CFR §1.97(b)(3), that is, before the first Office Action on the merits. Thus, no petition or fee is required. However, if the undersigned representative of Applicant is in error in this regard, then the Examiner is requested to consider this IDS as filed under §1.97(c) and is further authorized to charge any fee required by its filing to Deposit Account No. 09-0946.

Respectfully Submitted,

Dated: December 19, 2003


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